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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,597	09/25/2003	Riku Mikko Mettala	KOLS.053PA	7489

7590 09/20/2006

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EXAMINER

RAYYAN, SUSAN F

ART UNIT	PAPER NUMBER
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2167

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/670,597	Applicant(s) METTALA ET AL.	
	Examiner Susan F. Rayyan	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/26/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Arguments

1. Regarding Applicants' arguments concerning the rejections of claims 1-22 under 35 USC 101 because the claimed invention was directed to non-statutory subject matter. Applicants' arguments are persuasive. Examiner finds the limitation "transmitting said configuration message from the synchronization server to the terminal" and "synchronizing data of at least the first database and the second database using at least part of said data" as providing a tangible result.

2. Applicant's arguments, see amendment, filed June 26, 2006, with respect to the rejection(s) of claim(s) 1-2, 5,7, 9-14,17,19-22 under 35 U.S.C. 102(e) as being anticipated by Novak et al (US 6,882,659) have been fully considered and are persuasive. The rejection of claims 3,4, 6,8,15-16,18 under 35 USC 103(a) have been fully considered and are persuasive. Therefore, the rejections have been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of US Patent Publication Number 2002/0059256 issued to Chris Halim et al ("Halim") and US Patent Number 6,308,201 issued to Alvin Pivowar et al ("Pivowar").

3. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

DETAILED ACTION

4. Claims 1-22 are pending.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2,5,7,9-11,12-14, 17,19-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication Number 2002/0059256 issued to Chris Halim et al ("Halim") and US Patent Number 6,308,201 issued to Alvin Pivowar et al ("Pivowar").

As per claim 1 Halim teaches:

A method of arranging data synchronization of at least one application in a networked system comprising at least one terminal, at least one synchronization server, a first database in the terminal, and a second database (see Abstract), the method comprising:

forming a configuration message comprising data required for the application data synchronization, said data comprising settings of at least the second database (paragraph 9, lines 1-10, forming a message, local database equates to the second database);

transmitting said configuration message ... to the terminal (paragraph 9, lines 8-10, transmitting the data to the remote computer);
storing said data to a memory medium (paragraph 44, receive message and buffer until requested);
retrieving at least a part of said data as a response to a need for a synchronization service (paragraph 44, receive message and buffer until requested);
initializing the synchronization using the a synchronization connection ... and at least part of said data retrieved from the memory medium, and synchronizing data of at least the first database and the second database using at least part of said data (paragraph 9 lines 12-18, synchronization between local and remote computer).

Halim teaches an agent on a communication server for forming a message at paragraph 11 and paragraph 40. Halim does not explicitly teach a synchronization server however Pivowar does teach this limitation at column 2, lines 19-24 to modify with Pivowar to synchronize data between a plurality of different PDAs to promote organization among multiple different users. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify with Pivowar to synchronize data between a plurality of different PDAs to promote organization among multiple different users (column 2, lines 9-11).

As per claim 2 same as claim arguments above and Pivowar teaches:

wherein the settings of said at least second database comprise at least the name of the second database, the data on the content types supported, and an address, such a URI

indicator, and at least said address is transmitted in the initialization of the synchronization session preceding the data synchronization from the terminal to the synchronization server as a response to the need to synchronize data of the second database (column 7, lines 39-46).

As per claim 5 same as claim arguments above and Halim teaches:
wherein said configuration message comprises at least one field which defines whether said data is new, replacing previous data or complementary (paragraph 9, lines 4-6, local updates).

As per claim 7 same as claim arguments above Halim teaches:
wherein said configuration message is transmitted using one or more of the following protocols: SMS, OBEX, HTTP, or WAP (paragraph 65, HTTP).

As per claim 9 same as claim arguments above and Pivowar teaches:
wherein said data comprises settings of a plurality of databases, and data of at least the first database and said plurality of databases is synchronized using at least part of said data (paragraph 6, lines 20-26).

Claims 10,12,14,19-22 are rejected under the same rationale as claim 1 arguments.

Claims 11,13,17 are rejected under the same rationale as claim 2 arguments.

Claims 3, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication Number 2002/0059256 issued to Chris Halim et al ("Halim") and US Patent Number 6,308,201 issued to Alvin Pivowar et al ("Pivowar") in view of Bodnar et al (US 6,295,541).

As per claim 3 same as claim arguments above and Halim and Pivowar do not explicitly teach wherein said data further comprises user text, and the user text is displayed to the user of the terminal. Bodnar does teach this limitation (abstract) to handle new datasets and new data types. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to handle new datasets and new data types at col.3, lines 58-63.

Claim 16 is rejected under the same rationale as claim 3 arguments.

Claims 4,15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication Number 2002/0059256 issued to Chris Halim et al ("Halim") and US Patent Number 6,308,201 issued to Alvin Pivowar et al ("Pivowar") in view of Novak et al (US 6,643,669).

As per claim 4 same as claim arguments above and Halim and Pivowar do not explicitly teach wherein said data further comprises settings defining the timing of the synchronization, and the formation of the synchronization connection and the

initialization of the synchronization is started from the terminal at the moment of time according to said settings however Novak does teach this limitation at col.3, line 57 to col.4, line 2 to enable the process to be carried out in a faster manner. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to enable the process to be carried out in a faster manner at col.1, lines 45-55.

Claim 15 is rejected under the same rationale as claim 4 arguments.

Claims 6,8,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication Number 2002/0059256 issued to Chris Halim et al ("Halim") and US Patent Number 6,308,201 issued to Alvin Pivowar et al ("Pivowar") in view of Leppinen et al (US 2002/0081995).

As per claim 6 same as claim arguments above and Halim and Pivowar do not explicitly teach wherein said configuration message is an XML document in a binary or text format. Leppinen does teach this limitation at parg. 7, lines 8-11 and parg. 15 to conveniently share data among different users. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to conveniently share data among different users at paragraph 6.

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As per claim 8 Halim and Pivowar do not explicitly teach wherein the data transmission between the synchronization server and the wireless terminal is based on the WAP protocol stack and the initialization of the synchronization session and the synchronization is based on the SyncML synchronization protocol performed on top of the WAP protocol stack. Leppinen does teach this limitation at pargs. 7-8,13 to conveniently share data among different users It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the cited references to conveniently share data among different users at paragraph .6.

Claim 18 is rejected under the same rationale as claim 8 arguments.

Contact Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Rayyan whose telephone number is (571) 272-1675. The examiner can normally be reached M-F: 8am - 4:30pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Susan Rayyan

September 16, 2006



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